

UNITED STATES COURT OF MILITARY COMMISSION REVIEW

before F. Williams, D. Conn, and C. Thompson

UNITED STATES

Appellee

v.

ALI HAMZA AHMAD SULIMAN
AL BAHLUL

Appellant.

)
)
) MOTION FOR LEAVE TO FILE
) SUPPLEMENTAL BRIEF AND A REPLY
) BRIEF ON BEHALF OF APPELLANT
)

) CMCR CASE NO. 09-001
)

) Tried at Guantanamo, Cuba on
) 7 May 2008,
) 15 August 2008,
) 24 September 2008,
) 27 October – 3 November 2008
)

) Before a Military Commission convened by
) Hon. Susan Crawford
)

) Presiding Military Judge
) Colonel Peter Brownback, USA (Ret.)
) Colonel Ronald Gregory, USAF
)
)

) DATE: 30 October 2009
)

**TO THE HONORABLE, THE JUDGES OF THE COURT OF MILITARY
COMMISSION REVIEW**

COMES NOW Appellant and respectfully requests that this Court grant Appellant leave to file a supplemental brief pursuant to this Court's Rule 14(k) and a reply brief pursuant to this Court's Rule 14(c)(2).

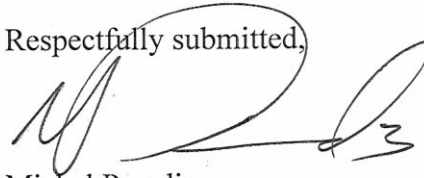
On 28 October 2009, the President signed into law the National Defense Authorization Act for 2010, Pub. L. 111-84 (2009) (NDAA). The NDAA amended the MCA to grant this Court the jurisdiction to review sentence appropriateness in the same manner as the service courts. 10 U.S.C. § 950f(d) (2009). As this jurisdiction was not provided for under the previous

law, Appellant's merits brief, filed with this Court on 1 September 2009, did not raise sentence appropriateness.

First, Appellant asks for leave of this Court pursuant to Rule 14(k) to file a supplemental brief, filed with this motion, that asks this Court to exercise its new review powers in the interests of justice. Appellee has been consulted and consents to the filing of supplemental briefing on this issue. Pursuant to Rule 14(k), Appellee is automatically entitled to five days in which to respond to the supplemental pleading. By agreement of the parties, Appellant asks that Appellee's deadline be extended until 9 November 2009 to file their response.

Second, Appellant asks for leave of this Court pursuant to Rule 14(c)(2) to file a reply brief. By agreement of the parties, Appellant asks that their deadline for the filing of this reply be extended to 12 November 2009. This will allow Appellant to file a single pleading that replies to the brief Appellee is expected to file today, 30 October 2009, as well as the supplemental brief they will be expected to file by 9 November 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michel Paradis', with a large, stylized flourish extending to the right.

Michel Paradis
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was sent via e-mail to CAPT Edward White on the 30th day of 30 October 2009.

Dated: 30 October 2009

A handwritten signature in black ink, appearing to read 'MP', with a stylized flourish at the end.

Michel Paradis
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